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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KIMBERLY ANN SINGLETON,

Plaintiff,

vs.

KILOLO KIJAKAZI,
Acting Commissioner of Social Security,¹

Defendant.

)
) Case No.: 3:21-CV-00473-CSD

)
) **ORDER GRANTING UNOPPOSED MOTION**
) **FOR EXTENSION OF TIME TO FILE**
) **CERTIFIED ADMINISTRATIVE RECORD**
) **AND ANSWER; DECLARATION OF JEBBY**
) **RASPUTNIS**

)
) **(FIRST REQUEST)**

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted, therefore, for Andrew Saul as the defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 Defendant, Kilolo Kijakazi, Acting Commissioner of Social Security (the “Commissioner”), by
2 and through her undersigned attorneys, hereby moves for a 30-day extension of time to file the Certified
3 Administrative Record (CAR) and answer to Plaintiff’s Complaint. The CAR and answer to Plaintiff’s
4 Complaint are due to be filed by June 6, 2022. This is the Commissioner’s first request for an extension
5 of time.

6 Defendant makes this request in good faith and for good cause, because the CAR, which must be
7 filed with the Answer and is necessary to adjudicate the case, is not yet available. As described in the
8 attached declaration of Jebby Rasputnis, Executive Director of the Social Security Administration’s
9 Office of Appellate Operations (OAO), dated October 19, 2021, beginning in mid-March 2020, the
10 COVID-19 pandemic significantly reduced the agency’s ability to produce CARs in Social Security
11 cases. Since that time, OAO has been working to overhaul, redo, refine, and streamline business
12 processes to continue operations and meet its mission. In the past year, OAO implemented new
13 processes for preparing hearing transcripts, increased the number of transcription contractors, and
14 redeployed staff, effectively changing the transcript preparation process from one that required in-person
15 exchange of physical CDs into one that can be completed electronically. With expanded vendor capacity,
16 the implementation of new business practices, and the number of new cases filed in federal court
17 returning to normal levels, production of CARs has now returned to normal pre-pandemic levels.

18 As explained in the attached declaration, any delays in production of CARs are related to the
19 specific case at hand. At present, the CAR is not yet available in this case. Accordingly, Defendant
20 respectfully requests an extension of 30 days in which to file the Answer, changing the due date from
21 June 6, 2022 to July 6, 2022.

22 On June 3, 2022, the undersigned conferred with Plaintiff’s counsel, who has no opposition to the
23 requested extension.

24 It is therefore respectfully requested that Defendant be granted an extension of time to file the CAR
25 and answer to Plaintiff’s Complaint, through and including July 6, 2022.
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1 Dated: June 3, 2022

2 JASON M. FRIERSON
United States Attorney

3 /s/ Sathya Oum
4 SATHYA OUM
Special Assistant United States Attorney

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7 IT IS SO ORDERED:

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9 _____
UNITED STATES MAGISTRATE JUDGE

10 DATED: June 3, 2022
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